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22 SimonMed Imaging, Inc.

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

29 SIMONMED IMAGING, INC., an ARIZONA
30 CORPORATION,

31 Plaintiff,

32 v.

33 DIGNITY HEALTH, a DOMESTIC
34 NONPROFIT CALIFORNIA
35 CORPORATION, Does 1 through 10,

36 Defendant.

37 CASE NO.: 17-cv-02907-JST

38 **JOINT STIPULATION AND
39 PROPOSED ORDER RE
40 POSTPONING CERTAIN SCHEDULE
41 DATES PENDING SETTLEMENT
42 AGREEMENT**

1 Plaintiff SimonMed Imaging, Inc. (“SimonMed”) and Defendant Dignity Health
2 (“Dignity”) (collectively “the Parties”) hereby jointly request and stipulate as follows:

3 WHEREAS the Parties filed a Joint Stipulation and Proposed Order re Schedule on
4 December 7, 2017 setting out dates for motions on the pleadings;

5 WHEREAS the Court signed the Proposed Order re Schedule on December 11, 2017;

6 WHEREAS the Court postponed the next Further Case Management Conference until
7 March 1, 2018 at 2pm;

8 WHEREAS the Parties have now reached an agreement in principle on framework for
9 settlement, including price for transfer of ownership, and are currently attempting to draft final
10 settlement terms;

11 WHEREAS the Parties seek to avoid any unnecessary litigation costs including the filing
12 of motions and new pleadings by postponing all impending deadlines by approximately five
13 weeks while the Parties finalize a settlement agreement.

14 Based on the foregoing, the Parties hereby stipulate to the following modified briefing
15 schedule and proposed hearing date for the Motion(s):

Event	Date
Deadline to either file Motion(s) or, in the alternative, file a responsive pleading	February 22, 2018
Deadline to file oppositions to Motion(s)	March 8, 2018
Deadline to file replies to Motions(s)	March 15, 2018
Hearing on Motions	April 5, 2018 at 2 p.m. Courtroom 9, 19th Floor
Deadline to file any further amended pleadings (if Motion(s) granted in whole or part)	Within 14 days of notice of the Court’s order on the Motion(s)
Deadline to respond to further amended pleadings	Within 14 days of the filing of further amended pleadings, unless amended pleadings are not required, in which case response(s) are due within 14 days of the Court’s order on the Motion(s)

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3 Dated: January 16, 2018

MILLSTEIN & ASSOCIATES

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5 By: /s/ Gerald Richelson
6 David Millstein
7 Gerald Richelson

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10 Attorneys for Plaintiff
11 SIMONMED IMAGING, INC.

12 Dated: January 16, 2018

JONES DAY

13 By: /s/ Rowan Mason
14 Brian Selden
15 Rowan Mason

16 Attorneys for Defendant
17 DIGNITY HEALTH

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FILER'S ATTESTATION

I attest under penalty of perjury that concurrence in the filing of this document has been obtained from all signatories.

Dated: January 16, 2018

JONES DAY

By: /s/ Rowan Mason
Brian Selden
Rowan Mason

Attorneys for DIGNITY HEALTH

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: January 17, 2018

HONORABLE JON S. TIGAR
UNITED STATES DISTRICT JUDGE